

SDNY (Rev. 10/2006) Pro Hac Vice Motion to Admit Counsel

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Carotek, Inc., Plaintiff,

- against -

Kobayashi Ventures, Defendant.
LLC,

7 cv 11163 (NR)

MOTION TO ADMIT COUNSEL
PRO HAC VICE

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Devin R. Robinson, Esq. a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of

Applicant's Name: Alexia Kent Bourgerie, Esq.
Firm Name: Stein, Sperling, Bennett, De Jong, Driscoll & Greenfeig, P.C.
Address: 25 West Middle Lane
City/State/Zip: Rockville, Maryland 20850-2204
Phone Number: (301) 340-2020
Fax Number: (301) 340-8217

Alexia Kent Bourgerie, Esq. is a member in good standing of the Bar of the States of Maryland and the District of Columbia

The sole disciplinary proceeding pending against Alexia Kent Bourgerie, Esq. is set forth in the Affidavit of Devin R. Robinson, sworn to March 6, 2008, at ¶¶ 5 and 6, submitted herewith.

Dated: 2/29/2008
City, State: New York, New York

Respectfully submitted,



Devin R. Robinson, Esq. (DR 0151)
Gallagher, Harnett & Lagalante LLP
380 Lexington Avenue, Suite 2120
New York, NY 10168
(212) 983-9700
(212) 983-9701

644045 \$25 3-7-08 MG

FILED
U.S. DISTRICT COURT
S.D. OF N.Y.
2008 MAR 7 PM 5:53
CLERK

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
:
CAROTEK, INC.,
:

Plaintiff/Counter-defendant,
:

-against-
:

KOBAYASHI VENTURES, LLC,
:

Defendant/Counter-plaintiff.
:
-----X

07 Civ. 11163 (NRB) (RLE)

**AFFIDAVIT OF
DEVIN R. ROBINSON**

STATE OF NEW YORK)
 ss.:
COUNTY OF NEW YORK)

DEVIN R. ROBINSON, being duly sworn, deposes and says that:

1. I am associated with Gallagher, Harnett & Lagalante LLP, attorneys for defendant and counter-plaintiff Kobayashi Ventures, LLC (“Kobayashi”). As such, I am familiar with the facts and circumstances set forth herein.

2. I make this affidavit in support of Kobayashi’s application for an order admitting Alexia Kent Bourgerie, Esq. pro hac vice in this action. A proposed order is submitted herewith.

3. I am a member in good standing of the bar of the State of New York and the United States District Court for the Southern District of New York.

4. Upon information and belief, Ms. Bourgerie is a member in good standing of the bar of the State of Maryland and the District of Columbia. Annexed hereto as Exhibit A are Certificates of Good Standing for Ms. Bourgerie for the State of Maryland and the District of Columbia.

5. Ms. Bourgerie's office informed me that there is a disciplinary proceeding pending against her, entitled Jeffrey M. Axelson v. Alexia Kent Bourgerie, Richard A. Salzman, and Jeffrey Schwaber, BC Docket No. 2008-029-16-9; 2008-030-00-8; and 2008-031-16-8.

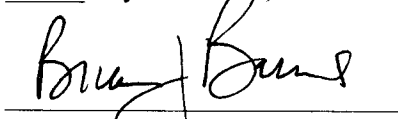
6. Ms. Bourgerie's office further informed me that the complaint resulted in the State of Maryland sua sponte initiating an investigation of the complaining counsel himself. Ms. Bourgerie and the two other respondent counsel anticipate that the matter will be dismissed as meritless and lacking in any good faith basis.

WHEREFORE, for all the foregoing reasons, Kobayashi respectfully requests that:

- A. The Court admit Alexia Kent Bourgerie, Esq. pro hac vice in this action;
and
- B. The Court grant such other and further relief as the Court deem just and proper.

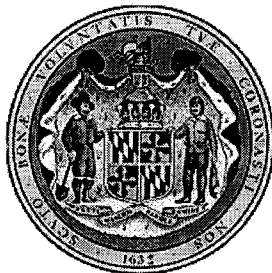

DEVIN R. ROBINSON

Sworn to before me this
6th day of March, 2008.


Notary Public

BRIAN J. BURNS
Notary Public, State of New York
No. 5041069
Qualified in Westchester County
Term Expires March 27, 2011

**Court of Appeals
of Maryland
Annapolis, MD**



CERTIFICATE OF GOOD STANDING

STATE OF MARYLAND, ss:

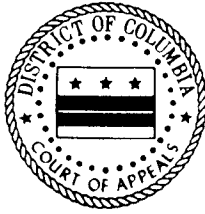
*I, Alexander L. Cummings, Clerk of the Court of Appeals of Maryland,
do hereby certify that on the fourteenth day of December, 1993,*

Alexia Kent Bourgerie

*having first taken and subscribed the oath prescribed by the Constitution and
Laws of this State, was admitted as an attorney of said Court, is now in good
standing, and as such is entitled to practice law in any of the Courts of said
State, subject to the Rules of Court.*

***In Testimony Whereof, I have hereunto
set my hand as Clerk, and affixed the Seal
of the Court of Appeals of Maryland, this
twenty-fifth day of February, 2008.***


Clerk of the Court of Appeals of Maryland



District of Columbia Court of Appeals
Committee on Admissions
500 Indiana Avenue, N.W. — Room 4200
Washington, D. C. 20001
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

ALEXIA K. BOURGERIE

was on the 7TH day of NOVEMBER, 1994,
duly qualified and admitted as an attorney and counselor and
entitled to practice before this Court and is, on the date
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have
hereunto subscribed my name
and affixed the seal of this
Court at the City of
Washington, D.C., on
February 14, 2008.

GARLAND PINKSTON, JR., CLERK

By: *Patrick Fagan*
Deputy Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
CAROTEK, INC.,

Plaintiff/Counter-defendant

-against-

KOBAYASHI VENTURES, LLC,

Defendant/Counter-plaintiff.
-----X

07 Civ. 11163 (NRB) (RLE)

**AFFIDAVIT
OF SERVICE**

STATE OF NEW YORK)

ss.:

COUNTY OF NEW YORK)

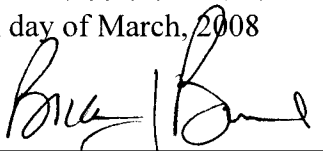
DEVIN R. ROBINSON, being duly sworn, deposes and says:

1. I am not a party to this action. I am over the age of eighteen and I reside in Kings County, New York. My business address is 380 Lexington Avenue, Suite 2120, New York, NY 10168.

2. On March 6, 2008, I served upon Plaintiff/Counter-defendant the annexed Motion to Admit Counsel Pro Hac Vice, dated March 6, 2008, and the Affidavit of Devin R. Robinson, sworn to March 6, 2008, with Exhibit A annexed thereto, by sending a true copy thereof by regular mail, securely sealed in a postage prepaid envelope, addressed to Raymond Castello, Esq., Fish & Richardson, PC, Citigroup Center – 52nd Floor, 153 East 53rd Street, New York, NY 10022-4661, this being the address designated for such purpose by Plaintiff/Counter-defendant's counsel in the prior papers herein.


DEVIN R. ROBINSON

Sworn to before me this
6th day of March, 2008



Notary Public

BRIAN J. BURNS
Notary Public, State of New York
No. 5041069
Qualified in Westchester County
Term Expires March 27, 2011

2011

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Carotek, Inc., Plaintiff,

7 cv 11163 (NRE)

- against -
Kobayashi Ventures, LLC, Defendant.

**ORDER FOR ADMISSION
PRO HAC VICE
ON WRITTEN MOTION**

Upon the motion of Devin R. Robinson attorney for Kobayashi Ventures, LLC
and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Applicant's Name: Alexia Kent Bourgerie, Esq.
Firm Name: Stein, Sperling, Bennett, De Jong, Driscoll & Greenfieg, P.C.
Address: 25 West Middle Lane
City/State/Zip: Rockville, Maryland 20850-2204
Telephone/Fax: (301) 340-2020
Email Address: ABourgerie@steinsperling.com

is admitted to practice pro hac vice as counsel for Kobayashi Ventures, LLC in the above
captioned case in the United States District Court for the Southern District of New York. All attorneys
appearing before this Court are subject to the Local Rules of this Court, including the Rules governing
discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall
immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice
fee to the Clerk of Court.

Dated:
City, State:

United States District/Magistrate Judge

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
CAROTEK, INC.,

Plaintiff/Counter-defendant

-against-

KOBAYASHI VENTURES, LLC,

Defendant/Counter-plaintiff.
-----X

:
:
07 Civ. 11163 (NRB) (RLE)

:
:
AFFIDAVIT
OF SERVICE

STATE OF NEW YORK)

ss.:

COUNTY OF NEW YORK)


DEVIN R. ROBINSON, being duly sworn, deposes and says:

1. I am not a party to this action. I am over the age of eighteen and I reside in Kings County, New York. My business address is 380 Lexington Avenue, Suite 2120, New York, NY 10168.

2. On March 6, 2008, I served upon Plaintiff/Counter-defendant the annexed proposed Order for Admission Pro Hac Vice on Written Motion, by sending a true copy thereof by regular mail, securely sealed in a postage prepaid envelope, addressed to Raymond Castello, Esq., Fish & Richardson, PC, Citigroup Center – 52nd Floor, 153 East 53rd Street, New York, NY 10022-4661, this being the address designated for such purpose by Plaintiff/Counter-defendant's counsel in the prior papers herein.


DEVIN R. ROBINSON

Sworn to before me this
6th day of March, 2008



Notary Public

BRIAN J. BURNS
Notary Public, State of New York
No. 5041069
Qualified in Westchester County
Term Expires March 27, 2011

2011